

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

IN THE MATTER OF THE)	ED100202
CARE AND TREATMENT OF)	
WILLIAM DOYLE,)	Appeal from the Circuit Court
)	of St. Louis County
Appellant.)	11SL-PR01682
)	
)	Honorable Carolyn C. Whittington
)	
)	Filed: April 29, 2014

William Doyle (Appellant) appeals the judgment of the trial court committing him to secure confinement in the custody of the Department of Mental Health (Department) after a jury found that Appellant was a sexually violent predator (SVP) under Section 632.480(5), RSMo. (2013). Appellant argues that the probate court erred in allowing testimony by one of the State's experts, because the State was prohibited from hiring a private psychiatrist by statute. Appellant also argues that the evidence was insufficient for the jury to find by clear and convincing evidence that Appellant was an SVP.

AFFIRMED.

Division Five Holds: The trial court did not abuse its discretion in admitting the testimony of Dr. Stanislaus, as Section 632.489.4 implicitly grants the State the right to privately retain an expert medical opinion. The evidence was sufficient for the jury to find each of the necessary elements by clear and convincing evidence that Appellant is an SVP.

Opinion by: Gary M. Gaertner, Jr., J.
Robert M. Clayton III, C.J., and Gary Dial, S.J., concur.

Attorney for Appellant: Erika R. Eliason
Attorney for Respondent: Chris Koster and Mary H. Moore

<p>THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.</p>
